

JOSE ANTONIO RAMOS

Plaintiff

V.

JEFFREY BEARD, *et al.*,

Defendants

CIVIL NO. 1:10-CV-1533

(Judge Rambo)

(Magistrate Judge Carlson)

ORDER

Before the court is a September 7, 2012 report and recommendation (doc. 156) of the magistrate judge to whom this matter was referred in which he recommends that the motion for summary judgment filed by the remaining defendants, Beard, Barsh, Mosier, McCoy, Hogan, Wilk, Walters, Klopotsoski, and McKeown, be granted. Plaintiff, Jose Ramos, has not filed objections to the report and recommendation. On September 24, 2012, however, Ramos filed a letter with the court (doc. 157) containing exhibits pertaining to an allegation that “a CO W. Higgins” conspired with defendants to violate his rights. Since there have been no objections specifically to the report and recommendation, and since Corrections Officer W. Higgins is not a party to this action, the report and recommendation will be adopted.

IT IS THEREFORE ORDERED THAT:

1) The court adopts the report and recommendation of Magistrate Judge Carlson (doc. 156).

2) Defendants' motion for summary judgment (doc. 118) is

GRANTED.

3) The Clerk of Court shall enter judgment in favor of Defendants, Beard, Barsh, Mosier, McCoy, Hogan, Wilk, Walters, Klopotsoski, and McKeown, and against Plaintiff, Jose Ramos, and close the file.

4) It is certified that any appeal from this order will be deemed frivolous and not taken in good faith.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: October 17, 2012.